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LETTER DATED 11 DECEMBER 1996 FROM THE PERMANENT REPRESENTATIVES OF FINLAND AND THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

At the request of the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe, we have the honour to transmit their letter of 10 December 1996 addressed to you (see annex).

Please have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) F. W. BREITENSTEIN
Ambassador
Permanent Representative
of Finland
to the United Nations

(Signed) S. LAVROV
Ambassador
Permanent Representative
of the Russian Federation
to the United Nations

Annex

Letter dated 10 December 1996 from the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe addressed to the President of the Security Council

1. In accordance with the decisions of the United Nations Security Council, after consultations with the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), we submit a progress report on the Minsk process and on the efforts undertaken within its framework for the peaceful resolution of the Nagorny Karabakh conflict.

2. During the eight months since the previous report, the Co-Chairmen of the OSCE Minsk Conference, acting on the basis of the OSCE Budapest Summit decision of 6 December 1994, continued to promote:

(a) The observation of the ceasefire;

(b) The conclusion of a political agreement on the cessation of the armed conflict (hereinafter "political agreement");

(c) The implementation of confidence-building measures, in particular in the humanitarian field.

In their activities, the Co-Chairmen enjoyed the support and cooperation of the members of the Minsk group, coordinating and harmonizing their individual efforts.

3. On the whole, the ceasefire by the parties to the conflict (hereinafter "the parties") established on 12 May 1994 has been observed. The number and scale of incidents connected with the breach of the ceasefire regime have diminished. Furthermore, the parties have repeatedly confirmed, at the highest level, their adherence to the ceasefire until the conclusion of the political agreement.

4. The Co-Chairmen continued to conduct negotiations for the conclusion of the political agreement, the implementation of which would eliminate major consequences of the conflict for all parties, and permit the convening of the Minsk Conference.

5. Parallel to the work on the text of the political agreement, the most important issues of the settlement, identified by the parties as the "key issues", have been dealt with. They are already reflected, to a varying extent, in the draft political agreement.

6. In May 1996 Foreign Minister Yevgeny Primakov of the Russian Federation, within the framework of Russian shuttle diplomacy, undertook a visit to the region. He urged the parties to strengthen the ceasefire and to give an impulse to the political settlement of the conflict.

7. In November 1996 Foreign Minister Tarja Halonen of Finland visited the region and urged the parties to understand the importance of ensuring the continuation of the Minsk process at the OSCE Lisbon Summit.

8. The Co-Chairmanship has made many visits to the region and has consistently proposed to the parties compromise approaches to the solution of the key problems of the settlement. In October 1996 the Co-Chairmen, accompanied by a number of the members of the Minsk group, visited the region again and urged the Parties to intensify and expedite the negotiating efforts. A number of proposals on specific issues have also been communicated to the parties by the Co-Chairmen at the negotiation rounds.

9. Moreover, representatives of some States - members of the Minsk group - have undertaken individual trips to the region on a coordinated basis, in efforts to promote progress towards the political settlement. Work in this direction has also been conducted with representatives of the parties in the capitals of some Minsk group member States.

10. Aiming at additional confidence-building measures, in particular in the humanitarian field, the co-Chairmen and the Minsk group members, in cooperation with the International Committee of the Red Cross (ICRC) exerted persistent efforts to ensure that the parties release prisoners of war and detainees contained in the lists of ICRC. This resulted eventually, in May 1996 during the trip of Foreign Minister Primakov to the region, in a significant humanitarian and political action: the release and repatriation of all 110 prisoners of war and detainees contained in the lists of ICRC.

11. The Co-Chairmen maintained direct contacts with and welcomed the efforts of the United Nations High Commissioner for Refugees.

12. In December 1995, the Ministerial Council of OSCE welcomed the commitment to establish direct contacts in coordination with the Co-Chairmanship to achieve agreement on the principles governing the resolution of the conflict. The Council urged that this be done quickly.

The Co-Chairmanship welcomed the direct contacts between Armenia and Azerbaijan as a useful took and hoped that they would contribute to the progress at the negotiations and that the practice of direct contacts among the parties would be extended.

13. Significant progress was achieved on substantial sections of the text of the political agreement. The parties have agreed on a number of issues. Based on the work thus far accomplished, the outlines of a settlement are emerging. It is evident, however, that no further progress can be made without major decisions by the parties at the highest political level.

14. In their report of 12 November 1996 to the OSCE Lisbon Summit, the Co-Chairmen expressed regret that a political agreement had not yet been achieved. Nevertheless, the negotiating process is going on. The Co-Chairmanship is conscious of its need to persevere in the efforts to bring about a settlement and will continue these efforts. However, the parties must

realize that it is only they themselves who can achieve a lasting settlement of this conflict.

15. The last meeting of the Minsk group, including the parties, took place from 18 to 22 November 1996 at Helsinki.

The participants focused on principles for a settlement proposed by the Co-Chairmen of the Minsk group and supported by its other members with a view to helping the Parties reach a Political Agreement.

Despite intensive consultations conducted by the Co-Chairmen and Minsk group members with the Parties, consensus was not achieved on the proposed principles for a settlement.

16. Consultations on this issue continued from 25 November to 3 December, during the preparatory meeting of the Lisbon Summit and the Summit itself, to no avail. As a result, the following declaration of the OSCE Chairman-in-Office, Foreign Minister Flavio Cotti of Switzerland, was made at the Summit meeting on 3 December, after the adoption of the "Lisbon Summit Declaration":

> "You all know that no progress has been achieved in the last two years to resolve the Nagorny Karabakh conflict and the issue of territorial integrity of the Republic of Azerbaijan. I regret that the efforts of the Co-Chairmen of the Minsk Conference to reconcile the views of the parties on the principles for a settlement have been unsuccessful.
>
> "Three principles that should form part of the settlement of the Nagorny Karabakh conflict were recommended by the Co-Chairmen of the Minsk group. These principles are supported by all member States of the Minsk group. They are:
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> "(a) Territorial integrity of the Republic of Armenia and the Azerbaijani Republic;
>
> "(b) Legal status of Nagorny Karabakh defined in an agreement based on self-determination, which confers on Nagorny Karabakh the highest degree of self-rule within Azerbaijan;
>
> "(c) Guaranteed security for Nagorny Karabakh and its whole population, including mutual obligations to ensure compliance by all the parties with the provisions of the settlement.
>
> "I regret that one delegation could not accept this. These principles have the support of all other participating States.
>
> "This statement will be included in the Lisbon Summit documents."

17. The OSCE Minsk group remains resolved to continue its efforts to achieve the settlement of the Nagorny Karabakh conflict in accordance with resolutions of the United Nations Security Council and the OSCE decisions.

The Co-Chairmen will persist in implementing their mandates, coordinating and harmonizing within the Minsk process all the efforts of the States members of the Minsk group aimed at contributing to a peaceful settlement.

(Signed) H. TOLVITIE (Signed) V. LOZINSKY

Co-Chairmen of the
OSCE Minsk Conference